

Notice of Allowability

Application No.

10/772,568

Applicant(s)

RICHTER, HERBERT

Examiner

Tan Le

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3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/20/04.
2. ☒ The allowed claim(s) is/are 2,3 and 10.
3. ☒ The drawings filed on 05 February 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This is the second office action for application serial number 10/772,568. The reply filed on 8/20/04 contains claims numbered 1-8. Claim 9 has been canceled.
2. Claims 2-3 and 10 are allowed with the following examiner's amendment below:

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Klaus J. Bach on September 7, 2004. The application has been amended as follows:

Claims 1 and 4 through 9 have been canceled.

Claim 2, line 2, "claim 1" has been deleted, and -- claim 10 -- inserted.

Claim 2, line 2, after said and before bushing, -- cylindrical -- has been inserted.

Claim 3, line 2, "claim 1" has been deleted, and -- claim 10 -- inserted.

Claim 3, line 2, after said and before bushing, -- cylindrical -- has been inserted.

New claim 10 has been added as follows:

--10. (New): A support device for supporting an article, particularly in a motor vehicle, comprising a support arm (8) consisting of a flexible tube with a bendable rod disposed therein and having at one end thereof an adapter plate (9) for supporting said article at the other end a clamping element (1) including a cylindrical bushing (2) of an

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elastic material for reception in a cylindrical opening (1a) defined by a wall, said cylindrical bushing (2) being provided at opposite axial ends with conical openings (2a, 2b) whose diameters increase toward the axial outer ends of the cylindrical bushing (2), conical engagement members (3, 4) arranged at the opposite ends of said cylindrical bushing (2), and a threaded bolt (5) extending axially through said conical engagement members (3, 4), by which the conical engagement members (3, 4) are movable toward each other for expanding said bushing (2) into firm engagement with the wall of said opening (1a) for securely supporting said clamping element (1) in said cylindrical opening (1a), said clamping element (1) including a sleeve (6) connected to said threaded bolt (5) for operating said bolt (5) and including an opening (7) in which said support arm (8) is mounted. —

REASONS FOR ALLOWANCE:

3. The following is an examiner's statement of reasons for allowance: No individual citation or obvious combination of citation disclose or suggest a support arm comprising a flexible tube with a bendable rod disposed in the flexible tube in combination with other limitations as recited in claim 10 to be anticipated or rendered obvious the above combination. The closest prior arts are Liebig (US 3,911, 782) and Champ et al (US 6,189,407). However, Champ et al. does not disclose the bushing being provided at opposite axial ends with conical openings whose diameters increase toward the axial outer ends of the bushing; Liebig discloses substantially as claimed but does not

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disclose a support arm comprising a flexible tube with a bendable rod disposed in the flexible tube.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Le whose telephone number is (703) 305-8244. The examiner can normally be reached on Mon. through Fri. from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie Braun can be reached on (703) 308-2156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tan Le
Patent Examiner
September 7, 2004.



LESLIE A. BRAUN
SUPERVISORY PATENT EXAMINER